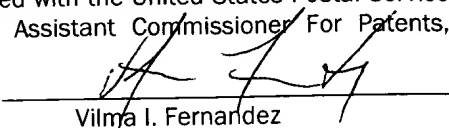




DT05 Rec PCT/PTO 1 4 NOV 2002 #8

Atty's Docket No.: 1098-KGB

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Vilma I. Fernandez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	09/914,658
APPLICANT	GERD HOBOM, et al.,
FILED	August 31, 2001
EXAMINER	TO BE ASSIGNED
ART UNIT	TO BE ASSIGNED
FOR	STABLE RECOMBINANT INFLUENZA VIRUSES FREE OF HELPER VIRUSES

U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, VA 22202

October 30, 2002

**SUPPLEMENTAL RESPONSE RELATING TO DEFECTIVE
COMPUTER-READABLE FORMAT OF SEQUENCE LISTING**

Sir:

This communication is in response to the NOTIFICATION OF DEFECTIVE RESPONSE dated October 18, 2002, and in further response to the NOTIFICATION OF MISSING REQUIREMENTS dated March 12, 2002.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

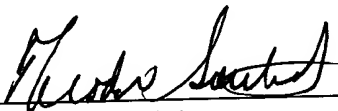
REMARKS

The above-identified notice required that Applicants submit CRF and a statement under Rule 1.825. In accordance, the undersigned hereby certifies:

1. That the enclosed CRF comprises the identical information contained in the paper copy of the Sequence Listing filed previously, and
2. That the enclosed CRF does not introduce new matter.

Early and favorable action is earnestly solicited.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS



Theodore A. Gottlieb
Reg. No. 42,597
220 East 42nd Street
New York, NY 10017
telephone (646) 487-5675
facsimile (212) 808-0844

NOV 14 2002

PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. Department of Commerce
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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

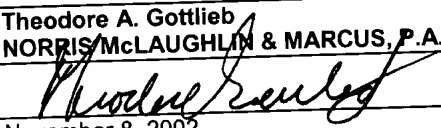
TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	09/914,658
	Filing Date	August 31, 2001
	First Named Inventor	GERD HOBOM et al.
	Group Art Unit	TO BE ASSIGNED
	Examiner Name	TO BE ASSIGNED
Total Number of Pages in This Submission	Attorney Docket Number	1098-KGB

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> To convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) -(please identify below):
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	Response to Notification of Defective Response; Diskette containing Sequence Listing; copy of Notification of Defective Response dated October 18, 2002; return receipt postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	

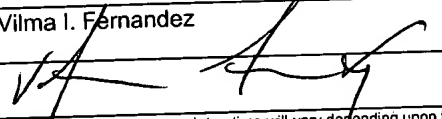
Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

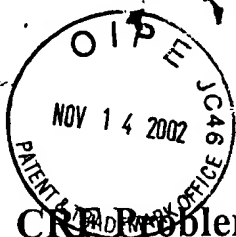
Firm or Individual name	Theodore A. Gottlieb NORRIS McLAUGHLIN & MARCUS, P.A.	Reg. No. 42,597
Signature		
Date	November 8, 2002	

CERTIFICATE OF MAILING

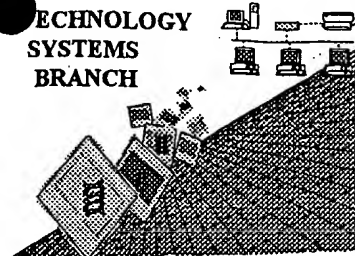
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Typed or printed name	Vilma I. Fernandez	Date	November 8, 2002
Signature			

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CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/914,658A
Filing Date: 8/31/2001
Date Processed by STIC: 10/11/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)
☐ Blank (no files on CRF) (see attached)
☐ Empty file (filename present, but no bytes in file) (see attached)
☐ Virus-infected. Virus name: _____ The STIC will not process the CRF.
☐ Not saved in ASCII text
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
☐ Did not contain a Sequence Listing. (see attached sample)
☐ Other: _____

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Revised 01/29/2002

09/914,658A

A:\>DIR

Volume in drive A has no label
Directory of A:\

09914_~1 TXT	50,683	08-12-02	3:15p	09	914,658	-Kreiser	1098	- Sequence
Listing.txt								
1 file(s)	50,683	bytes						
0 dir(s)	1,406,976	bytes	free					

A:\>TYPE 09914_~1.TXT|MORE

Read fault error reading drive A
Abort, Retry, Fail?F
Fail on INT 24 - 09914_~1.TXT

← onscreen message when STK PC
tried to read submitted file

A:\>